

TOWN OF PROVINCETOWN - BOARD OF SELECTMEN

REGULAR MEETING - MONDAY, MAY 8, 2006

JUDGE WELSH HEARING ROOM

Chairman Cheryl Andrews opened the meeting at 6:00 PM noting the following attendees:

Board of Selectmen members: Cheryl Andrews, Sarah Peake, Michele Couture, Richard Olson, David Nicolau

Other attendees: Town Manager Keith Bergman, Acting Asst. Town Manager Michelle Jarusiewicz

Recorder: Vernon Porter

The following are meeting minutes, in brief.

1. ORGANIZATION OF BOARD OF SELECTMEN

Election of Chairman and Vice Chairman

MOTION: *Move that the Board of Selectmen vote to elect Selectman Dr. Cheryl L. Andrews as Chairman of the Board of Selectmen for a term of one (1) year commencing immediately.*

Motion by: Sarah Peake **Seconded by:** David Nicolau Yea 5 Nay 0

MOTION: *Move that the Board of Selectmen vote to elect Selectman Sarah K. Peake as Vice Chairman of the Board of Selectmen for a term of one (1) year commencing immediately.*

Motion by: Michele Couture .. **Seconded by:** David Nicolau Yea 5 Nay 0

1B1 ECONOMIC DEVELOPMENT COUNCIL

Update

EDC Members present: Alix Ritchie, Gabrielle Hanna, Hunter O'Hanian, Thanassi Kuliopulos, William Dougal, Stephen Melamed.

Hunter O'Hanian gave presentation outlining four (4) major PEDC activities as of May 8, 2006, i.e, 1) Adams Update – New MCC grant /CCED grant; 2) CCEDC Research Project; 3) Community Outreach; 4) Additional Funding/Outreach. Material on these matters is contained in Agenda Item. Open dialogue between Board of Selectmen and EDC followed.

The Board of Selectmen would like EDC to develop short-term strategies and bring a comprehensive package of strategies back to them.

The Board of Selectmen invited the EDC to take advantage of the Board of Selectmen's upcoming goal-setting process to the Board's previous goals and develop goals the EDC would like the Board of Selectmen consider and adopt.

For clarification purposes Chairman Andrews re-read the mission statement of the EDC. Bill Dougal said now that the EDC knows it can meet with Regulatory Boards it will make a difference. They will work on short term as well as long term strategies and come back to the Board of Selectmen in the near future. He further stated that today's meeting has been very meaningful and helpful.

MOTION: *Move that the Board of Selectmen vote to send a letter to the Cape Cod Economic Development Council and the Barnstable County Commissioners expressing support of the \$50K grant for technical assistance for the Phase I research project.*

Motion by: David Nicolau **Seconded by:** Michele Couture Yea 5 Nay 0

1B2 ECONOMIC DEVELOPMENT COUNCIL

Cape & Islands License Plate Program - \$25,000

MOTION: Move that the Board of Selectmen vote to accept a grant for \$25,000 from the Cape Cod Economic Development Council under its Cape & Islands License Plate Small Grant Program for a project to stimulate cultural tourism in Provincetown through Provincetown's Path to Culture including a streetscape path and virtual cultural center.

Motion by: David Nicolau

Seconded by: Michele Couture

Yea 5 Nay 0

1C. PROVINCETOWN PUBLIC PIER CORPORATION

EOT Grant Update: Plans for Pier Restrooms, Passenger Shelter

Attendees: Vice Chair of the PPPC George Hitchcock and Director of Public Works David Guertin.

Open discussion ensued. Chairman Andrews asked for public comments.

Philip Tarvers (Truro, Ma.) suggested raising the existing Harbor Master's office and put on a second floor ... and add handicapped lift to 2nd floor.

Barbara Rushmore doesn't feel there is any need for canopies for people to stand under and agrees with putting a second floor on the existing Harbor Master's Office.

Chairman Andrews closed this portion to public comments.

MOTION: Move that the Board of Selectmen vote to ask the Town Manager to verify with ADA if: When there is first floor handicapped accessibility and there is a second floor for personnel can there be a variance granted or some means of having that second floor attached to that building without handicap access to the second floor.

Motion by: David Nicolau

Seconded by: Sarah Peake

Open discussion ensued. Sarah Peake withdrew her second. David Nicolau withdrew his motion. Open discussion continues. Some board members felt that some of their questions went unanswered and felt that this item should not have been brought to them at the eleventh hour.

MOTION: Move that the Board of Selectmen vote to approve the plan for proposed structures for the Ferry Terminal Improvements Grant as recommended by the Provincetown Public Pier Corporation Board of Directors following its April 13, 2006 public hearing thereon.

Motion by: Michele Couture

Seconded by: Richard Olson

Yea 4 Nay 1 (Cheryl Andrews)

2. PUBLIC STATEMENTS

Kerry Adams – Congratulations to David Nicolau on his re-election. Ask Board of Selectmen to support a letter to the Governor's office re: Homeowners' Insurance for Barnstable County and the Islands. The Harbor Committee is in process of working with other boards to get the beach clean and any input the Board of Selectmen can give will be beneficial.

Barbara Rushmore - Congratulations to David Nicolau on his re-election and to Cheryl Andrews for announcing her decision to run next year for the County Assembly of Delegates. We all deserve congratulations for the override. Upset about the VSB and how they use the money. Feels that morale is most important about our future. Glad that the Board is going to have another Public Forum meeting.

3. SELECTMEN'S STATEMENTS

David Nicolau

In response to Kerry Adams comments for a letter of support to the Governor's office for Hurricane Insurance, I would be happy to support such a letter if you would let us know exactly what you want – if you give it to Vernon, as it is going to be a problem.

Cheryl Andrews - It would be very helpful if you would send us a draft and then we could bring it back at our

next meeting and we can see if we agree on the language. I think I understand what you're asking for, but until I read it I'm not sure.

David Nicolau - In response to Barbara Rushmore's comments --- When we are looking into incentives for businesses to stay open, I think it would also be prudent for us to look at tax incentives for people who own property and who don't have a big income and they can't keep the house that they want to keep because taxes go up – and water bills go up, etc. Maybe that is one of the things we can look at during goal setting.

MOTION: Move that the Board of Selectmen vote to send a letter of thanks to Phil Gaudiano upon his resignation from the John Francis Anderson Scholarship Committee and the Town Scholarship Committee.

Motion by: David Nicolau Seconded by: Sarah Peake Yea 5 Nay 0

Sarah Peake

I, too, say welcome back to my colleague David Nicolau – it is nice to see you sitting there, Congratulations, I'm happy to have you back.

Letter from Susan Kadar, Truro, MA re: Affordable Housing

MOTION: Move that the Board of Selectmen vote to send a letter to Susan Kadar indicating that we received her letter and we are very interested in participating and having a conversation with her.

Motion by: Sarah Peake Seconded by: Michele Couture Yea 5 Nay 0

Mr. Bergman and I, and the Superintendent of Schools and the Asst. Superintendent of Schools, Burt Wolfman a member of the School Committee and the Betty White, Business Manager from the Schools all went on Friday to Harwich for a school funding summit meeting sponsored by the Cape and Islands School Superintendents Association. It was an interesting discussion. Not a lot to feel really good about. Not a lot of encouragement in changing of the school funding formula ... we asked the attending legislative representatives to lobby hard for us. It was great to see a strong turnout from Provincetown.

Congratulations to our Police Department on their 100th Anniversary last Friday. It was a very nice ceremony.

Michele Couture

Thank everyone involved in running our Town Elections including the fabulous Doug Johnstone who always does a flawless job on election night and leading up to that.

MOTION: Move that the Board of Selectmen vote to send letters of appreciation to all concerned to Town Election personnel for an excellent job.

Motion by: Michele Couture Seconded by: Sarah Peake Yea 5 Nay 0

Would like to have as a future agenda item – Town Boards.

Future agenda item – invite Sky Power re: Piano - Town Hall Auditorium

Parking and ticketing – causing a lot of problems. Needs to be a little more latitude given to town's people and delivery trucks.

Richard Olson

Revisit Handicapped Parking fees next year.

Piano – agree with that. I think it is very important to keep a playable professional level piano in town. Maybe we should charge more in order to maintain a professional level concert piano in Town Hall.

MOTION: Move that the Board of Selectmen vote to send a letter of Congratulation to John Fitzgerald upon his retirement as our Town Treasurer.

Motion by: Richard Olson Seconded by: Sarah Peake Yea 5 Nay 0

Nice to see the Monument illuminated.

The landing at Good Templar way – what is disposition? (David Guertin – Interim measures should be completed within next three to five days.)

Cheryl Andrews

I shall report to the Board the ‘mood of the town has lifted’. Now that the Town meeting and elections are over – people are ready to move forward.

Questions from public about - Curb cuts in town? I’ve sent those reports to Keith and asked him to go through downstairs and give us a report and when that comes in I will share that with you.

With regards to John Francis Anderson Scholarship Committee as well as the new Town Scholarship Committee, the new Chairman of the Committee (Gail Browne) called me on Friday and expressed some concerns about being the new chairman and how it all worked and the regulatory process and I asked Keith Bergman if he would give us some background materials and you will find paperwork in your mailboxes from Mr. Bergman on this.

I’ve also been work with a number of members of the Cable Advisory Commission and also folks who worked at PTV ... talking about various issues that you’ve heard about and read about. CAC is talking about some major changes in their future and some goal setting they would like to do for themselves and are hoping to have some feedback from us on how to structurally organize things.

Idea about Fireworks – Grand Marshall – open discussion. Cheryl Andrews will send letter to Fireworks Committee.

4. BOARD OF SELECTMEN APPOINTMENTS

MOTION: *Move that the Board of Selectmen vote to appoint Bill Schneider as a Regular Member of the John Anderson Francis Family Scholarship Committee with a term expiration date of December 31, 2007.*

Motion by: Sarah Peake **Seconded by:** David Nicolau Yea 5 Nay 0

MOTION: *Move that the Board of Selectmen vote to appoint Bill Schneider as a Regular Member of the Town Scholarship Committee with a term expiration date of December 31, 2007.*

Motion by: Sarah Peake **Seconded by:** Michele Couture Yea 5 Nay 0

5A LIBRARY DIRECTOR

NEH Grant Application - \$5,000 Humanities Preservation Assistance

MOTION: *Move that the Board of Selectmen vote to authorize the submission of a grant application to the National Endowment for the Humanities for \$5,000 under its Humanities Preservation Assistance Grant program for the Provincetown Public Library’s local history collection.*

Motion by: Sarah Peake **Seconded by:** David Nicolau Yea 5 Nay 0

5B REQUEST: PILGRIM MONUMENT

Heritage Museum Collection Loan Agreement: Weir Fishing Dip Net, Model

MOTION: *Move that the Board of Selectmen vote to approve the request of the Cape Cod Pilgrim Memorial Association for a loan of the following Heritage Museum Collection items: (1) Weir Fishing Dip Net, and (2) Model of a Weir Scowl, to be included in a Pilgrim Monument and Provincetown Museum exhibit from May 12 to October 10, 2006, and to authorize the execution of a loan agreement therefore.*

Motion by: Sarah Peake **Seconded by:** David Nicolau Yea 5 Nay 0

5C BOARD OF HEALTH

Administrative Consent Order – 11 Pleasant Street, 23 Mechanic Street

MOTION: *Move that the Board of Selectmen pursuant to its vote on July 25, 2005, to approve the Board of Health to enter into Administrative Consent Orders for septic system repairs for (1) 11 Pleasant Street and (2) 23 Mechanic Street, as voted by the Board of Health on April 20, 2006.*

Motion by: Michele Couture **Seconded by:** Sarah Peake Yea 5 Nay 0

MOTION: *Move that the Board of Selectmen vote to rescind its motion of July 25, 2005 that requires the Board of Health to obtain the Board of Selectmen's approval for Administrative Consent Orders for septic system repairs. .*

Motion by: Cheryl Andrews **Seconded by:** Sarah Peake Yea 5 Nay 0

5C1 BOARD OF HEALTH

Rabies Signage

Open discussion ensued. Board of Selectmen supports signage ... Dogs must be on leash at all times per order of Board of Health. No motions made.

5D POLICE, PUBLIC WORKS

Emergency Vehicle Crossovers on Route 6

MOTION: *Move that the Board of Selectmen vote, pursuant to the May 28, 2002 agreement with the Massachusetts Highway Department relative to the maintenance of the discontinued portion of State Route 6, to request MassHighway's approval of emergency vehicle crossovers on Route 6 at the following locations, as requested by the Police Department and recommended by the Department of Public Works: (1) Snail Road crossover at Station 53.50 per Layout 7703 Sheet #3 and*

Motion by: Michele Couture **Seconded by:** Richard Olson
Yea 4 Nay 1 (Sarah Peake)

(2) Conwell/Howland crossover at Station 111.00 per Layout 7703, Sheet #5.

Motion by: Michele Couture **Seconded by:** Richard Olson
Yea 3 Nay 2 (Cheryl Andrews/David Nicolau)

6A FY 2007 TOWN-WIDE GOAL-SETTING PROCESS

Adopt Timetable and Meeting Schedule

MOTION: *Move that the Board of Selectmen vote to adopt the timetable for the FY 2007 Annual Town-wide Goal Setting Process, including a preliminary goal-setting exercise at the regular meeting on Monday, June 12, 2006.*

Motion by: Sarah Peake **Seconded by:** David Nicolau
Yea 2 Nay 3 (Cheryl Andrews/Michele Couture/Richard Olson)

- DOES NOT PASS -

MOTION: *Move that the Board of Selectmen vote to adopt the timetable for the FY 2007 Annual Town-wide Goal Setting Process, including a preliminary goal-setting exercise at the regular meeting on Monday, June 12, 2006 and a public hearing at the regular meeting on Monday, June 26, 2006 at 6 p.m.*

Motion by: Michele Couture **Seconded by:** Richard Olson
Yea 4 Nay 1 (David Nicolau)

6B APPOINTMENT OF TREASURER

MOTION: *Move that the Board of Selectmen vote, pursuant to Charter section 7-2-5 (1), to approve the Town Manager's appointment of Assistant Town Accountant Linda Codhina O'Brien as Treasurer for the*

Town of Provincetown.

Motion by: David Nicolau . Seconded by: Sarah Peake Yea 5 Nay 0

7A. BOARD OF SELECTMEN'S RULES OF PROCEDURES

Adoption, Consideration of Amendments

MOTION: Move that the Board of Selectmen vote to schedule adoption of the Rules of Procedure for its next regular meeting on Monday, May 22, 2006, with any proposed amendments to be submitted in writing to the secretary by Monday, May 15, 2006.

Motion by: Michele Couture Seconded by: Sarah Peake Yea 5 Nay 0

7B. BOARD OF SELECTMEN

Town Manager Transition Process

Open discussion ensued. No motions made.

8. MINUTES OF BOARD OF SELECTMEN'S MEETINGS

MOTION: Move that the Board of Selectmen vote to approve the minutes of March 1, 2006 (Joint Mt. W/School Cmte.) as printed.

Motion by: Michele Couture Seconded by: Sarah Peake Yea 5 Nay 0

MOTION: Move that the Board of Selectmen vote to approve the minutes of March 22, 2006 (Wastewater) as printed.

Motion by: Michele Couture Seconded by: Sarah Peake Yea 5 Nay 0

MOTION: Move that the Board of Selectmen vote to approve the minutes of April 24, 2006 (Regular Mtg.) as printed.

Motion by: Michele Couture Seconded by: Sarah Peake Yea 5 Nay 0

MOTION: Move that the Board of Selectmen vote to approve the minutes of May 1, 2006 (Wastewater) as printed.

**Motion by: Michele Couture Seconded by: Richard Olson
Yea 4 Nay 0 Abstain 1 (Sarah Peake)**

9. CLOSING STATEMENTS

David Nicolau - None Sarah Peake – None Michele Couture - None

Richard Olson - Passed out article from British Newspaper on "Tax Rise Threat to Second Homes."

Cheryl Andrews

I try to be consistent with my votes so we don't circle over and over again. I'm going to make a concerted effort to listen to any proposal any of you bring to the table for discussion, even if we've vote on it in the past or not.

Just as you see as much change as he Town can tolerate, all of a sudden you see a lot more.

Richard Olson I applaud you for taking the time to copy all that.

This may be the year that we do things differently. I think people are asking us to ... and not locking into any goal setting.

10. TRURO - LAND NEGOTIATIONS

North Union Field [MGL C.39,§23B cl.6]

MOTION: Move that the Board of Selectmen vote, pursuant to MGL C. 39, §23B, clause 6, to go into executive session to consider the purchase, exchange, lease or value of real property; and not to convene in open session thereafter. [Roll Call Vote]

Motion by: Michele Couture Seconded by: Richard Olson

Michele Couture – Yea Sarah Peake – Yea Richard Olson - Yea

David Nicolau – Yea Cheryl Andrews - Yea

Yea 5 Nay 0 Motion Passes

The Board went into executive session at 10:10 PM.

Minutes transcribed by: Vernon Porter, Secretary
May 10, 2006